

REMARKS

Priority

The priority information is inserted onto the first page of the application.

The Rejections Under 35 USC § 112, first paragraph

The term “preventing” is removed from the rejected claims without prejudice or disclaimer, rendering this rejection moot.

The Rejections Under 35 USC § 101 and § 112, second paragraph

The rejections not specifically addressed are overcome by amendments to the claims.

Applicants disagree with the rejection in section j). Antecedent support is present in the definition of R₇ to the material to which allegedly no such support was present. See, for example, original claim 1, page 88, line 21, and lines 25 to 30.

The Rejections Under 35 USC § 102

The Office Action alleges that FR ‘199 teaches compounds where the groups corresponding to the present inventions R⁴ and R⁵ together are –CR⁶=CR⁷– with R⁷ being hydrogen, methyl, or phenyl and R⁷ being OH. Reference is made to various examples.

Applicants respectfully disagree with the allegations. No compound in FR ‘199, including in its examples, have in the corresponding position to the claimed R⁷, an OH group. Also, no compound in FR ‘199 has in the corresponding position to the claimed R⁴ and R⁵ a –CR⁶=CR⁷– group. Instead the corresponding group to R⁴ and R⁵ together is –CR⁶–C(O)–, i.e., R⁷ is always Oxygen bonded to the carbon atom bearing said Oxygen by a double bond, and there is no double bond between the two carbon atoms bearing the groups R⁶ and R⁷.

Additionally, according to the disclosure of the reference (see, for example, synthesis scheme disclosed generally on pages 2-3), at no stage during the synthesis steps of the preparation of the compounds of FR ‘199 is an OH group present in the position corresponding to the claimed R⁷ group.

For all the foregoing reasons, there is no anticipation.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Csaba Henter', written over a horizontal line.

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